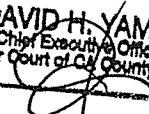


FILED

MAR 09 2012

DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY  DEPUTY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

CREDIGY RECEIVABLES, INC.,
Plaintiff,

Case No. 1-11-CV-213007

vs.

ORDER RE: DEMURRER TO
COMPLAINT

CORAZON GAERLAN REYES, et al.,
Defendants.

The demurrer to complaint by defendant Corazon Gaerlan Reyes came on for hearing before the Honorable Peter H. Kirwan on March 8, 2012, at 9:00 a.m. in Department 8. The matter having been submitted, the court orders as follows:

Defendant Corazon Gaerlan Reyes' demurrer to the second cause of action in plaintiff Credigy Receivables, Inc.'s complaint on the ground that the pleading does not state facts sufficient to constitute a cause of action [Code Civ. Proc., §430.10, subd. (e)] for judicial foreclosure is SUSTAINED with 10 days' leave to amend. "The most common procedure for collection of a money judgment is execution." (8 Witkin, California Procedure (4th ed. 1997) Enforcement of Judgment, §93, p. 126.) Plaintiff contends it is entitled to pursue equitable

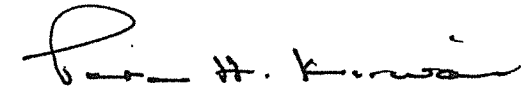
EXHIBIT

tabbies

11

1 foreclosure, but does not adequately allege why the equitable powers of the court should be
2 employed in these circumstances. Defendant Corazon Gaerlan Reyes' demurrer to plaintiff
3 Credigy Receivables, Inc.'s complaint is otherwise OVERRULED.

4
5
6 Dated: 3/9/12



Hon. Peter H. Kirwan
Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

191 N. First Street
San Jose, CA 95113-1090

FILED

MAR 09 2012

DAVID H. YAMASAKI

Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara

BY Ingrid Stewart DEPUTY

TO: Fred W. Schwinn
Consumer Law Center, Inc.
12 South First Street Suite 1014
San Jose, CA 95113-2404

RE: Credigy Receivables, Inc. vs C. Reyes
Case Nbr: 1-11-CV-213007

PROOF OF SERVICE

ORDER RE: DEMURRER TO COMPLAINT

was delivered to the parties listed below in the above entitled case as set forth in the sworn declaration below.

Parties/Attorneys of Record:

CC: Ian Willens , Gryphon Solutions, LLC
17772 Irvine Blvd., Suite 203, Tustin, CA 92780

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the American with Disabilities Act, please contact the Court Administrator's office at (408)882-2700, or use the Court's TDD line, (408)882-2690 or the Voice/TDD California Relay Service, (800)735-2922.

DECLARATION OF SERVICE BY MAIL: I declare that I served this notice by enclosing a true copy in a sealed envelope, addressed to each person whose name is shown above, and by depositing the envelope with postage fully prepaid, in the United States Mail at San Jose, CA on 03/09/12. DAVID H. YAMASAKI, Chief Executive Officer/Clerk by Ingrid C Stewart, Deputy